



171-1616 \$  
Atty. Dkt. No. 032026-0700

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: HAYES *et al.*

Title: USE OF BIOLOGICALLY ACTIVE  
VITAMIN D COMPOUNDS FOR  
THE PREVENTION AND  
TREATMENT OF  
INFLAMMATORY BOWEL  
DISEASE

Appl. No.: 10/036,819

Filing Date: 12/21/2001

Examiner: S. N. QAZI

Art Unit: 1616

<p><b>CERTIFICATE OF MAILING</b></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.</p> <p><b>Bernard P. Friedrichsen</b> (Printed Name)</p> <p><i>Bernard P. Friedrichsen</i> (Signature)</p> <p><b>May 26, 2004</b> (Date of Deposit)</p>
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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO-1449 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of the listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

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**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR § 1.97(c)(2), and the Commissioner is hereby authorized to charge the fee of \$180.00 (Fee Code 1806) set forth in 37 CFR § 1.97(c)(2) and § 1.17(p) to Deposit Account No. 50-2350 for such purpose. The listed documents were cited in a European Search Report for a related European patent application. A copy of the European Search Report is enclosed. The other documents listed in the European Search Report were previously reported to the United States Patent and Trademark Office.

**RELEVANCE OF EACH DOCUMENT**

An English translation of single foreign-language document (DE 44 05 545) is not readily available. However, an English language abstract of the foreign language document is included with the foreign-language document.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-2350. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-2350. A duplicate of this communication is enclosed for such purposes.

Respectfully submitted,

Date May 26, 2004

By Bernard P. Friedrichsen

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Form PTO-1449  
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PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.  
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## INFORMATION DISCLOSURE CITATION

APPLICANT

HAYES et al.

FILING DATE

12/21/2001

GROUP ART UNIT

1616

(Use several sheets if necessary)

## U.S. PATENT DOCUMENTS

EXAMINER TRADEMARK OFFICE	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
		5,583,125	12/10/1996	Steinmeyer et al.			
		5,663,157	09/02/1997	Steinmeyer et al.			

## FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
		DE 44 05 545	08/31/1995	Germany				
		WO 96/30326	10/03/1996	PCT				
		WO 98/51678	11/19/1998	PCT				
		WO 98/51644	11/19/1998	PCT				

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER

DATE CONSIDERED

\* EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include any copy of this form with next communication to applicant.